

Defendant.

CIVIL ACTION NO. 2:09-02420-RMG-RSC

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Intervenor Plaintiff and Defendant stipulate that this matter has been settled by compromise between them. Intervenor Plaintiff and Defendant therefore notify the Court that the Intervenor Complaint in the above-entitled action is dismissed with prejudice pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. Both parties are to bear their respective attorneys' fees and costs.

Dated this the 8<sup>th</sup> day of February 2011.

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